COMMITTEE/BOARD OF SUPERVISORS
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Board of Supervisors Meeting  Date: January 31, 2012

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OTHER (Use back side if additional space is needed)

Completed by: Andrea Ausberry  Date: January 18, 2012
Completed by:  Date: 

*An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.
[Opposing the United States Supreme Court’s Decision in Citizens United and Supporting
Related United States Constitutional Amendment]

Resolution opposing the United States Supreme Court’s interpretation of the
Constitution in *Citizens United* regarding the rights of corporations and supporting an
amendment to the Constitution to provide that corporations are not entitled to the
entirety of protections of natural persons.

WHEREAS, Free and fair elections are the foundation of American democracy; and

WHEREAS, In *Citizens United v. Federal Election Commission*, the Supreme Court
held that independent spending on elections by corporations and other groups could not be
limited by government regulations, a decision that allows for unlimited corporate spending in
elections; and

WHEREAS, In reaching its decision in *Citizens United*, the Supreme Court interpreted
the First Amendment of the Constitution to afford corporations the same free speech
protections as natural persons; and

WHEREAS, The *Citizens United* decision has proven to be one of the Court’s most
controversial decisions and supersedes state and local efforts to regulate corporate activity in
their campaign finance laws; and

WHEREAS, In his eloquent dissent, Justice John Paul Stevens stated that
"[c]orporations have no consciences, no beliefs, no feelings, no thoughts, no desires.
Corporations help structure and facilitate the activities of human beings, to be sure, and their
‘personhood’ often serves as a useful legal fiction. But they are not themselves members of
'We the People' by whom and for whom our Constitution was established"; and

WHEREAS, Members of Congress are seeking to amend the Constitution in order to reverse the *Citizens United* decision and establish that corporations are not entitled to the entirety of protections of natural persons; and

WHEREAS, Several dozen municipalities, including New York City, Los Angeles, and Oakland, have successfully passed resolutions opposing the Supreme Court’s interpretation of the Constitution in *Citizens United* and supporting Constitutional amendments; and

WHEREAS, The City and County of San Francisco has a long history of demonstrating support for ensuring free and fair elections, such as with its public campaign finance policy, as well as other ethics and electoral reforms; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors hereby declares its opposition to the Supreme Court’s interpretation of the Constitution in *Citizens United* regarding the rights of corporations; and be it

FURTHER RESOLVED, That the San Francisco Board of Supervisors joins other cities in calling on Congress to begin the process of amending the Constitution to provide that corporations are not entitled to the entirety of protections or "rights" of natural persons, specifically so that the expenditure of corporate money to influence the electoral process is no longer a form of constitutionally protected speech.
INTRODUCTION FORM
By a member of the Board of Supervisors or the Mayor

I hereby submit the following item for introduction:

☐ 1. For reference to Committee: ________________________________
   An ordinance, resolution, motion, or charter amendment
☐ 2. Request for next printed agenda without reference to Committee
☐ 3. Request for Committee hearing on a subject matter
☐ 4. Request for letter beginning “Supervisor __________________ inquires…”
☐ 5. City Attorney request
☐ 6. Call file from Committee
☐ 7. Budget Analyst request (attach written motion).
☐ 9. Request for Closed Session
☐ 10. Board to Sit as A Committee of the Whole
☐ 11. Question(s) submitted for Mayoral Appearance before the BOS on ______

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

☐ Small Business Commission  ☐ Youth Commission
☐ Ethics Commission  ☐ Planning Commission
☐ Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.

Sponsor(s): Supervisor David Chiu

Subject: Resolution opposing the US Supreme Court’s Decision in Citizens United and supporting related US Constitutional amendment.

The text is listed below or attached:

Signature of Sponsoring Supervisor: [Signature]

For Clerk’s Use Only:

Common/Supervisors Form

Revised 05/19/11